

SELECT BOARD MEETING
Minutes
Monday, July 26, 2010 – 6:30 p.m.
Town Room, Town hall

DRAFT

Attendance:

Present: Stephanie O'Keeffe (Chair), Aaron Hayden (Clerk pro-tem), Diana Stein, Jim Wald, Larry Shaffer (Town Manager)

Others presenting; Mr. Stokes, Reikka Simula, Elwood Shular, Stephanie Ciccarello (energy Task Force Coordinator), Jonathan Edwards (SmartPower), Reikka Simula (Chair of the CoH), Hwei-Ling Greeney (V Chair CoH)

Angelo Hensley

Call to order:

Meeting was convened at 6:30.

Public Comment

New Taxi/Chauffer License

Diana Stein moved to approve the new Taxi/Chauffer License for Madeline Doane, 10 Belchertown Rd Apt #3 Amherst, MA.

Aaron Hayden seconded and the motion carried unanimously.

Diana Stein moved the Select Board approve the new Taxi/Chauffer License for Elwood Shular, 1039 North Pleasant Street, Amherst MA.

Aaron Hayden seconded and the motion carried unanimously.

Diana Stein moved to approve the new Taxi/Chauffer License for Reikka Simula, PO Box 193 Amherst, MA.

Aaron Hayden seconded and the motion carried unanimously.

SmartPower: Brief Program Description

Stephanie Ciccarello (energy Task Force Coordinator) presented: A year ago we offered to have a web based carbon calculator that would generate numbers for the Town. There were no tools available then – until now. SmartPower can offer the tool and more... She introduced

Jonathan Edwards (SmartPower) who presented the project: the program does more than simply aggregating individuals energy use and efficiency, it also aggregates across community and neighborhoods. The SmartPower tool uses a Facebook or Weight Watchers web site to encourage energy conservation conversation in the community. It is human nature to work better in a crowd. They look forward to

working with the various communities in Amherst. If Amherst meets certain goals smartPower will contribute a PV system which may not generate a lot of energy but will generate a lot of conversation about energy.

Larry Shaffer feels it is a worthwhile program and its positive reinforcement for wise energy use.

Johnathan Edwards we [participate by going to the website www.WesternMassSaves.com, login to answer questions about your home and your goal for energy savings. With your goal the website populates the site with options that fit your goal with actions and their costs. The user then can pick from the menu, items that you can't do will be taken off the menu unless you bring it back.

There will be pages for various communities that can be used to have competitions for signing up people. When you enter your data the system will compare the information with census data of homes nearby. You then customize your data and improve its accuracy.

Diana Stein reported that the Climate Action Plan has helped cut usage but there are many more appliances that in the end have added use. This program can help us understand real cuts.

Jonathan Edwards in one year the Town is being asked to get a 3% reduction overall. Half the residents will get direct mail to encourage savings. The rest will be the control group to see how outreach is working. Sunderland, Easthampton and Ludlow are other, very different, test towns in this program. It will be interesting to see how the market outreach works in different places.

Diana Stein wondered the start date - Jonathan Edwards ballparked the date as the week after Labor day. After the website is finished the utility has some work to do.

Data in website will be looking at WMECo bills to demonstrate to help people keep with the goal. If there are changes the website will repopulate the site with the new data.

Stephanie Ciccerallo the ETF will be working on advertising September as Energy Awareness month and there will be information on the project.

Council on Aging Report – Survey of seniors

AB COA vs Senior Center:

Nancy Pagano replied that the COA is the board of directors of the SC. They help the staff develop policies and directions. The SC is the department the COA directs.

Mr. Stokes presented the survey: This is part of a long series of surveys done by the SC to assess the quality of their services. SaDRI and Mr. Stokes willingness to work gratis let this be a survey with a wider including middle life people from 50 to 60. and more questions let us look at the condition of the population of seniors in Amherst.

DS Best survey she has come across and appreciates JE's time and energy (JE enjoyed working with the COA)

SO this is a huge conversation that can go on for a long time. She is struck by the degree to which people are not aware of services that are available until they need them. (JE notes that the SC newsletter is read by 95% of the people in the SC and still they don't know what services are available.) It is a tremendous survey and has valuable information.

LS wanted to acknowledge Nancy Pagano and members of the COA who have been supportive³ of the effort and are here tonight.

Resolve Winter Shelter Issues –

SO a few weeks ago the CoH made a report. We decided to help out in a meeting where three issues were identified Food, Sobriety, Gender. Julie Federman and committee helped resolve the food service issue. The remaining issues of sobriety and gender remain unresolved. We have seen a lot of information on these issues and they are available on the website. Starting with sobriety

AB noted that using a breathalyzer is not on the table despite what the newspaper reports.

LS replied that there has never been a notion of a breathalyzer test as part of the shelter.

SO summarizing sobriety issue after speaking with Julie and LS:

Everyone is saying the same thing only a little differently: LS and JFederman what we want to be consistent with NoHo's policy – a dry shelter” that there is no alcohol or drugs on site. Guest will be accepted based on behaviour, a whiff of ETOH will not disqualify the public from staying the night.

LS it makes sense that our rules and regs match those of communities around us. We need to work closely with those shelters to be sure the needs of the homeless are being met on a regional way.

Is this what the CoH understands

Riekka Simula Chair CoH has organized her thoughts in a statement and will answer the question later: The CoH and TM have agreed on food policy, with a certified server on site. The 3 issues remain. Based on last years that the folding walls are adequate to separate the genders. 20% Female, their need is real and they shouldn't be barred. The distinction of dry and wet is not relevant when the weather is cold. Well trained staff can determine whether the guest can be admitted if not they can help them get to a detox center. The H Dir agree that admission is on behaviour and dry or wet out of the description altogether. The CoH the selected management agency is expected to work with volunteers on food and any other operation of the program. Must not exclude women from the shelter. For those whose behaviour is not suitable they must be referred to other center where they will be safe. RFQ should be explicit on this.

Recommendation that CDBG postponing 30 days.

SO the CDBG is postponed. It is a Community Development Comm hearing and topics should be discussed with them.

We are dealing with food and sobriety tonight not volunteers.

Reikka Simula wants to keep volunteers on the table.

SO our two positions that same but notwithstanding the dry wet distinction we want the same thing.

HL Greeney says it is not the point that the shelter is wet or dry, the RFQ should not have the distinction rather the behaviour needs to be the only determinant.

Asked the SB if this is so DS replied yes this is so.

AB looking for an item description of what that means – we should have some sense of the descriptive wording in the RFP.

LS doesn't have specific working that he is putting words in to hire someone who can assess whether someone needs detox or not. We are looking to have the same policy as shelters in the area. The members of this community have a sense of the rules and they should be consistent between shelter.

R Simula Noho's policy includes a referral process so if we have one we would be consistent.

Kevin Noonan, volunteer last year (many volunteers are here). Very little trouble last year with sobriety. Worked most of his adult life with poor and disadvantage and it is a problem. Most consider it a disease. We are talking about putting in language that discriminates against people who are ill. It takes the right circumstances to help an individual recover. We were happy to accept anyone to the shelter, if there was a problem they would be asked to leave – PD very helpful. We shouldn't have language that discriminates, we are trying to set up harm reduction. We took people to the ER who needed it, otherwise if they were turned away might not have gotten the help they need.

SO our policy consistent with NoHo or not. Do we do something more inclusive than others.

AH NoHo policy – not to throw them out but take care of them.

LS Keep our policy in line. To best serve all the homeless in our region. If we are inconsistent people might pick and choose maybe incorrectly. Want to learn from others who have been doing this work.

SO mutual understanding the behaviour based admission? If something else needs to happen they will be referred.

Carol Gray, compelled by Mr Noonan's remarks compelling afraid we would be discouraging people from coming in at all. Law and regulations should be the same. Policy implemented by person at the door. If it's not broken don't fix it why not Amherst policy better.

K Noonan where would referral be made to. Shelter starts at 10:00 when everything else full. Buses don't run. Late at night where are referrals going.

JW thinks that we are talking about the same point that once admitted the guest has to fit in with the health and safety. Wet or dry is the issue of language.

Angleo guest at Shelter from beginning to end. Feels there were a lot of problems and lack of leadership and direction. Feels that if we are going to do the same as 1st year it is a waste of time. Has good ideas on how to run shelters since he uses them.. understands more than most people here.

Kevin Eddings (CoH) in favor of behaviour based policy and on who will remain once they were admitted. From the report of the management "there have been no safety issues during this reporting period." If shelter did not turn anyone away based on gender or ETOH suggest we not start to exclude people this year. We can learn from NoHo how to run a shelter and they can learn from us. If we are this year going to require the management agency to turn away people that the RFQ requires referral.

Mary Wentworth, 2 comments on the issue this evening 1 sobriety: finds it ironic that this town would consider a dry shelter when we have a really really wet town. It's not fair to target a particular group of people coming to the shelter for a warm safe place. They are not the only group that might have problems. If people show up and create a problem we should deal with it.

on this issue of gender she feels that people can't be moved around like a herd of cattle. To say that one gender is welcome and the other is not misunderstands the relationship that homeless people have to develop with their environment. Their relationship is different than ours, they have developed a routine to help them get through the day, moving them around disrupts the routine. If you decide that the shelter here can handle one gender it should be the men, it is not the men who feel insecure because women are present. We women have had to restrict our lives too because of violent men. We need to be particularly thoughtful in regard to women in this society.

DS

LS wet or dry not useful in this circumstance., People at center are trained to admit

Calvin Brower (town mtg) with a point of order – worked with NoHo on their shelter since he was homeless. He experienced cot programs and similar different programs. Did his share to put the plan together, a progressive plan, that would grow in further directions.. NoHo got to a point and stopped progressing (CB dropped out then) He also worked on living wage campaign... helped get shelter on the weekends, would leave and return with friends who were drinking and got kicked out. Fought it out at meetings, was required to take tests to prove wasn't using drug or ETOH. Back to my point the way it was established it, men and women were accepted. Statement is that the shelter that worked real good last year followed the progressive plan since we followed the progressive plan and they shouldn't be punished for doing a good job. Refers to NoHo

AH moved to recommend the RFQ includes that admission be based on behaviour and not specifically sobriety and that someone who can not be admitted on this basis a safe alternative will be sought.

be actively referred to the appropriate facility.

DS 2nd.

JW is ETOH or drugs allowed

DS has no trouble with most of NoHo. But if not stated it is not ethical to bar.

AB confusing our role a bit – we are not setting Shelter policy. We agree that guests must not be under the influence but No

Ho's prohibition of being under the influence is not our policy.

Coming back to what we are putting in our RFQ that we are specific not about wet or dry but close to the motion's language. We are not looking at NoHo's other policies.

SO

Riekka Simula missing piece is referral with transportation. For a homeless person is essential.

HL Greeney need transportation like Greenfield program that picks up and returns. It is important to get the person to safe place. CoH put SB language into proposal.

AH described what was meant with "active"

HL Greeney need to get cost into RFQ for transportation.

SO have decided on policy for admission not transportation

AB would it reflect clearly that our position is that no one will be turned out into the cold. How do we defend it so we don't get into trouble.

DS diff from if behaviour a safe alternative be found.

LS not "found" but sought. We might not have enough beds.

JW active referral mean transportation if appropriate.

R S NoHo does not turn people away when it is dangerously cold. They find room for people.

SO folks running the shelter will be looking out for the best interests of the people seeking shelter.

Leah Lewis We are; ppl on for alternative for people with inappropriate behaviours. If they have choices choices should be offered. People who need our help are included in decision making.

Vote: U

SO Gender, men, or men and women (or women).

LS Town's position is that there should be hard separation between the men's and women's dormitories. To find a place with separation would be marvelous, if we can't would recommend that an alternative facility be found to house women. Could be private accommodations outside of the shelter. Staff are concerned about the safety of women in the facility and alternative will be found for female guest.

Hard separation is not curtains nor temporary moveable partitions are not acceptable. My expert on code could describe other attributes. But a separation that makes it difficult to move from one side to the other. Alternatives are transporting woman or a separate facility.

Reikka Simlue have we seen the folding walls at the folding at the Baptist. Staff felt that they are as safe as a regular wall. And they allow visibility.

3' bookshelves separating some facilities so consistency allows low walls. Places don't begin perfectly. These "curtains" are hard composite and can't come out of the track. There were no problems.

SO where is SB on the issue

DS These kinds of dividers should be fine. Expected after reading report that was going to be mention of problems. If it is not broken don't fix it. Too complicated.

AH keep separation to provide a sense of dignity

LS RFQ maintains principle to maintain demonstrable security. It is our responsibility to make it safe.]

JW pleased at the progress made with food and sobriety – if we could find a facility that could find safe for both genders it would be fine. Reikka Simlue thanks that the Baptist church partitions are fine.

HL Greeneye we have received memo from St on need for separation but is silent on how. Their intention is to make it easy to set up shelter easily. If we require wall, windows, locks we are violating sense of letter. Dignity is enough of

AH possibility of dangerous people

AB came to a different opinion from original thought beginning first that we should not be assured by the safety of this year's operation and that we needed wall. Has come to believe that is not so important, concerned that current RFQ "insure acceptable gender separation are required by BoH" I believe the JF believes it is safe only with walls. Our BoH may say no but it may not be an acceptable alternative. Wants to give people running shelter ability to decide separation is enough not BoH.

DS wants to point out that the NoHo the men are not allowed in women's area and everyone has to wear pants and shirts etc.... not to intrude into personal space. Agrees with AB that screens are not hard.

SO appreciates desire for safety, and max safety is hard separation of genders. Everything she has heard she is persuaded that the danger is so great that putting too high a threshold the perfect should not be the enemy of the good enough. We should not be entangled with what is good enough. Doesn't want to creating a huge mess by putting up too high a hurdle and putting people into motels – who wouldn't want to have that.

AH codes and code compliance

LS all codes from State, interpretation local. Would like to fit into the four corners of the code. Has consulted with AFd, BoH, Inspections, Happy to live with RFQ the complies with the code with respect to the gender issue.

SO separation poorly defined by state – how do we want to define it: is good enough or is good enough.

LS there will code issues.

DS SB recommend RFQ for Amherst winter shelter include housing for W and M in separate and safe spaces. And the spaces can be created with something less than permanent walls. AS described the Paul Halfmann memo of Dec 30th.

JW 2nded

AB Still at the place where what I don't want is after all this discussion that the RFQ is issued that the BoH or Building can say it is not safe. No point if men or women can't walk into the facility

LS making progress, 1st Baptist adding sprinklers and a conclusion has been reached on how to sprinkle. Our people will not categorically deny shelter they will not compromise safety and health but there are many ways to work with the problem. Not pessimistic that this will be resolved.

AH

Vincent O'Connor Pct 1 only addition to make to the motion is to refer to St code. So that the 1st thing the Boh sees that document.

Kevin Noonan didn't understand recommendation – sat here patiently to give input and haven't been heard. RFP excludes women let's make sure it is written in that men and women are included.

U

AB Other parts of the RFQ and operation of the Shelter are up to the Town with the CoH advising

Xx moved to continue the project on building CDBG-funded supportive housing for the homeless.

Yy seconded and the motion carried unanimously.

Xx moved to request to postpone the July 27 CDBG Public Hearing by 30 days.

Yy seconded and the motion carried unanimously.

Town Manager's Report

WMeco poles on Farview Ave – new poles near old location, abutter's observation that new poles are being installed is correct but they are simply replacing the old ones.

Audible crossing signal at Kellogg Ave. – inquiry why there is no audible signal at this corner, waiting for pricing.

DS important corner to be signalized.

SO there had been an audible signal until pole was replaced several years ago.

AH tactile signal

Temporary sidewalk on Common – across from LJI, it was pointed out that a car was parked across entrance – meter has been removed and pavement striped to keep it clear.

Munson Library building inspection – met with trustees 2 wks ago. Certain work has happened this year, flashing and drainage and cosmetic improvements. SB should understand we have been working with trustees on this tremendous asset to the community.

Visit with Vermont DOT JT and Js will visit with VDOT. VDOT subsidies Amtrak to have trains to CT. Will be advocating for keeping trains to Amherst and talk about adding service to Amherst.

DS thanks the SOS for their work to keep the stop.

Summer Project update

Town Manager Evaluation

SO Timeline including public comment is still holding. All comments on the TownMgr are due August 11th either mailed to Town Hall or e-mailed to Selectboard@amherstma.gov

Master Plan Implementation Committee, tabled
Safe Routes to School DS explained in process, people needing to respond are on vacation

Committee Handbook update, send comments to DS and SO
AB

FY 11 Town Manager Goals Discussion: Review Draft Goals, Discuss New Goals
SO presented most recent draft “Town Manager Goals FY 11”
Discussion goal by goal as input to SO for editing

Signing September Election Warrant: Tuesday September 14th primary

Police Policy on Enforcing Seatbelt Law:

Stephanie O’Keeffe reported that MA has one of the lowest seat belt use in the country and the State is encouraging their use. The APD has developed a policy to enforce the seat belt law, it is not a moving violation that will be enforced when the driver is stopped for other reasons.

Annual Approval of Police Officers as Agents of the Select Board

Aaron Hayden move to Appoint the following Police Officers as agents of the Select Board effective July 1, 2010 for a term to end June 30, 2011.

Chief Scott P. Livingstone

Sergeant Brian T. Johnson

Captain Jennifer A. Gundersen

Detective Christina B. Knightly
Captain Christopher G. Pronovost
Detective David W. Foster
Lieutenant Robert J. O'Connor
Detective Gabriel Ting
Lieutenant Ronald A. Young
Detective Janet M. Lopez
Sergeant Jerry Millar
Detective Richard Maclean
Sergeant David R. Knightly, Jr
Detective Gregory D. Wise
Sergeant Charles H. Nelson, III
Sergeant William N. Menard
Sergeant Brian C. Daly

LS reminded us that traditionally there are many duties that fall to the Select Board can be shared with police force.

Diana Stein seconded and the motion carried unanimously

Member Reports

Wind Turbine Legislation Update – have til midnight Sat to finish everything. Question is whether we should do anything. The Governour might veto to allow a better bill – two minds get the legislation accepted now so perfect not enemy of the good or the bill is too important to get wrong.. SO
Do we have an opinion

LS similar language with wireless act in 1995 and concerns about proliferation of towers was feared. Legislation assured there were enough towers to support need.

Discussion to send a letter or not – not now.

Chair's report

Select Board letter to MEPA re: the Rail Trail and their not waiving Environmental Impact Report for its widening and repair.

Town Meeting Calendar and deadlines, on the web – first dead line is Sept 7th when citizen zoning articles are due, next is September 13 for general article. We will have a special SB mtg on October 8th to sign the warrant to allow time for everything that has to happen between the signing and the first night of town meeting.

FY 09 Annual Report Status – likely done for next meeting.

Licenses and permits

Diana Stein moved to approve the Special All Alcohol Liquor License for the University of Massachusetts for August 14, 2010 from 5:00 p.m. -11:00 p.m. at the Renaissance Center UMass for a reception.

Aaron Hayden seconded and the motion carried unanimously. (4-0)

Committee Appointments and Re-appointments

Diana Stein moved to appoint:

Jeremy Barker Plotkin, Agricultural Commission, for a term to expire June 30th, 2013

Nancy Gregg, Community Development Committee, At-large, for a term to expire June 30th, 2013

Aaron Hayden seconded and the motion carried unanimously

Diana Stein moved to re-appoint

Denis Boyd, Kanagesaki Sister City Committee, for a term to expire June 30th, 2013

John Gerber, Conservation Commission for a term to expire June 30th, 2013

Aaron Hayden seconded and the motion carried unanimously (4-0)

Diana Stein moved to approve the Town Manager's re-appointment of Daniel Kaplan, Conservation Commission, for a term to expire June 30th, 2013.

Aaron Hayden seconded and the motion carried unanimously

Discussion: Hard copies of packet material

DS wants to have packets carried not mailed.

SO wanted to speak to materials at meeting, retaining and printing copies.

Discussion: Parking Request Procedure – how to standardize it.

Approving Minutes

Diana Stein moved to approve the minutes as listed on the motion sheet, June 7th, June 21st, July 19th, Select Board meeting, as amended

Alisa Brewer seconded and the motion carried unanimously

Adjournment

Motion to adjourn at 9:30 was unanimously accepted.

Calendar Preview

8/9 -SB Meeting: Economic Development Update, Sand Hill Rd. Approval

8/11 -Deadline for Public Comment on Town Manger Evaluation

8/30 -**SB** Meeting: Complete FY 10 Town Manager Evaluation and FYI 1 Performance Goals, FY 10 4th Quarter Near-End Budget Update

Changes and comments encouraged.

Respectfully submitted

Aaron Hayden

DRAFT